

**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT
INTERIM COMMITTEE**

Wednesday, November 17, 1999 - 2:00 p.m. - Room 303 State Capitol

Members Present:

Rep. Bradley T. Johnson, Cochair
Sen. Howard C. Nielson, Cochair
Sen. Leonard M. Blackham
Sen. Joseph L. Hull
Sen. Millie M. Peterson
Rep. Eli H. Anderson
Rep. Melvin R. Brown
Rep. Craig W. Butters
Rep. David N. Cox
Rep. Fred J. Fife, III
Rep. James R. Gowans
Rep. Tom Hatch
Rep. Keele Johnson
Rep. Evan L. Olsen
Rep. Matt Throckmorton

Members Excused:

Rep. Jordan Tanner
Rep. Bill Wright

Members Absent:

Sen. Beverly A. Evans
Rep. Mary Carlson

Staff Present:

Ms. Constance C. Steffen,
Research Analyst
Ms. Jeanenne B. Larson,
Associate General Counsel
Ms. Joy L. Miller,
Legislative Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Committee Business - Rep. Johnson called the meeting to order at 2:20 p.m. He noted that committee members were sent copies of the reports on recycling market development zones and paper recycling by state agencies, as required by law.

MOTION: Sen. Peterson moved to approve the revised minutes of October 20, 1999. The motion passed unanimously. Sen. Blackham and Reps. Brown, Cox, and Hatch were absent for the vote.

2. Predator Management - Mr. Alan Clark, Division of Wildlife Resources, distributed copies of the cougar management plan, predator management policy, and a summary of cougar harvest and population trends in 1999. He said the division uses U.S. Department of Agriculture (USDA) Wildlife Services to manage coyote populations, while cougar populations are managed through sport hunting.

Mr. Dean Mitchell, Division of Wildlife Resources, explained that the division has relied mostly on recreational trapping efforts to control predators of upland game species. In 1995, the Legislature established a new fur harvester education program to teach the general public how to be effective at trapping predators in Utah. Mr. Mitchell said the division has spent \$300,000 over

the last five years in conjunction with Utah State University and USDA Wildlife Services to determine what effect the removal of terrestrial predators has on pheasant populations. The report is not yet in its final form. He noted that pheasants prefer to live on irrigated agricultural lands. They are found almost exclusively on private lands throughout Utah. Mr. Mitchell pointed out that much of the pheasant habitat is gone as a result of development.

Mr. Terry Messmer, Utah State University, distributed information concerning the Jack H. Berryman Institute and the Predation-Avian Recruitment Team, who are engaged in predator management research. He identified various methods of predation management, including lethal and nonlethal methods.

3. Paiute Trail - Mr. Milo Medley, Paiute Trail Committee, distributed information on the trail, which is a 235-mile loop that crosses three mountain ranges and varies in elevation from 5,200 feet to 11,450 feet. The system has an additional 583 miles of designated trails, for a total of 819 miles. The many participating communities along the trail have pooled their talents and resources to make the system an example that many others look to as the best in the country. Riders along the trail bring a significant amount of dollars into the rural central Utah communities. Mr. Medley stated the committee has struggled to find enough funding to maintain the trail system. During the 1999 season, they operated on \$103,000, which includes federal and state grant monies. The amount needed to adequately maintain the trail system is \$240,000 per year.

4. Consider Proposed Legislation "Oil and Gas Conservation Account" - Mr. Lowell Braxton, Division of Oil, Gas and Mining, stated the oil and gas conservation program is funded by a 2 mil levy on oil and gas produced and sold in Utah. The legislation proposes the creation of the Oil and Gas Conservation Account within the General Fund that will capture all the revenues generated by the oil and gas conservation tax, and dedicate it to the division.

Rep. Jack Seitz distributed a copy of an amendment that the division has proposed. The amendment sets a cap on the account in the amount of \$750,000 and specifies that any surplus left in the account after the current fiscal year will go into the account.

MOTION: Rep. Buttars moved to adopt the following amendment:

Page 3, Line 77: After line 77 insert the following:
 "(6) The balance of the Oil and Gas Conservation Account at the end of a
 fiscal year may not exceed \$750,000. Any excess monies shall be
 transferred to the General Fund.
 (7)(a) If the Division of Finance, in conjunction with the completion of the
 annual audit by the state auditor, determines that there is a General Fund

surplus for fiscal year 1999-2000, the Division of Finance shall transfer to the Oil and Gas Conservation Account any revenue collected in fiscal year 1999-2000 from the fee levied under Section 40-6-14 that exceeds fixed collections appropriated to the Division of Oil, Gas and Mining in fiscal year 1999-2000.

(b) The transfer provided in Subsection (7)(a) shall be limited to the amount of General Fund surplus monies that are available after surplus monies have been transferred to the Budget Reserve Account as provided in Section 63-38-2.5.”

The motion passed unanimously. Sen. Blackham and Reps. Brown, Cox, and Hatch were absent for the vote.

MOTION: Rep. Anderson moved to adopt the legislation, as amended, as a committee bill. The motion passed unanimously. Sen. Blackham and Reps. Brown, Cox, and Hatch were absent for the vote.

5. Great Salt Lake Comprehensive Management Plan - Ms. Kathleen Clarke, Department of Natural Resources, explained that two of the department's main duties are stewardship and service. The challenges and mandates given to each of the divisions within the Department of Natural Resources cover many areas. She said they have tried to balance those interests in the common good and the best interest of the public. They have done extensive scoping and held public meetings. She asked members to take the time to understand what the plan is about and urged the support of the committee.

Mr. Art Dufault, Department of Natural Resources, distributed a copy of "Great Salt Lake Draft Comprehensive Management Plan Overview - Alternative Rationale" and a summary of the department's critical issues. There has been a decrease in the amount of salinity over time as a result of construction of the causeway and the West Desert pumping project. Corrective action could begin by requiring the culverts to be continually open and maintained by the railroad, deepening the existing breach to its original design depth, and monitoring the situation to assess the effect these actions have on restoring south arm salinity to levels within its historical range. Mr. Dufault stated they will be looking at several options for operating the pumps.

6. Central Utah Project - Rep. Olsen distributed a copy of the State Water Development Commission's recommendation regarding the last available block of Central Utah Project water. He noted the commission was also made aware of a commitment that was made to Duchesne County to receive water. That item will be discussed at the next commission meeting.

MOTION: Rep. Throckmorton moved to adopt the recommendation of the State Water Development Commission. The motion passed unanimously. Sen. Blackham and Reps. Brown, Cox, and Hatch were absent for the vote.

7. Rangeland Vegetation Change Study - Dr. Charles Kay, Utah State University, stated there is a concern that Utah's rangelands are overgrazed, riparian areas are being damaged, and that mineral activity and logging are adversely impacting Utah's environment. A comparison of old and new photographs demonstrates that rangelands are in better shape today than in the past, riparian areas indicate no damage, vegetation is coming back in areas that have been mined, and there are more coniferous trees than when the state was settled. He noted that aspens have decreased primarily due to conifer encroachment. The decline of aspens translates to approximately 1.5 million animal unit months (AUMs) that have been lost in the state since the late 1800s. Total AUMs presently available to livestock on all the national forests in Utah are just over 1 million. Dr. Kay said he is working to make the information he has compiled available to the public.

MOTION: Rep. Fife moved to adjourn the meeting at 4:35 p.m. The motion passed unanimously.